



LUMMI INDIAN BUSINESS COUNCIL

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DEPARTMENT _____ DIRECT NO. _____

May 27, 2010

Fred Seeger, Acting Executive Director
Port of Bellingham
1801 Roeder Avenue
Bellingham, Washington 98227-1677

Dear Fred:

I am writing for two purposes. The first is to confirm our telephone conversations earlier this week in which we mutually agreed not to convene the Port/Lummi meeting scheduled for Wednesday, May 26 at 1:30 due to our apparent differences in interpreting the terms of the February 2009 Agreement in Principle. We both agreed, however, not to cancel the meeting scheduled for June 9 at 1:30 at the Silver Reef Casino, in the hope that both of our negotiating teams desire to continue working towards a “global” agreement consistent with the terms of the 2009 Agreement in Principle.

My second purpose is to express the Nation’s concern with certain written and oral statements by Port team representatives that the Agreement in Principle has been altered by changes of circumstances. We do not share that view. From the Nation’s perspective, an agreement is an agreement. The terms of the Agreement in Principle were developed with the mediation assistance of James Waldo and the active involvement of Port and Lummi representatives. The terms were reviewed by our respective governing bodies, and, although not formally approved, each team informed the other that we had the support of our governing bodies to seek a binding agreement incorporating those terms.

We did try to respond to the Port representatives’ continued references to “changed circumstances” by presenting some alternatives to certain terms in the Agreement in Principle. Our proposals have been met with a cursory rejection, indicating a complete lack of interest in exploring meaningful alternatives. Our current perception is that the Port representatives are trying to reduce the value of the Agreement terms, to the Port’s benefit and the Nation’s loss. This is not an approach that will lead to a “global” agreement acceptable to our Natural Resources Commission or the Lummi Indian Business Council. We remain open to exploring meaningful alternatives to certain items listed in the Agreement in Principle, but we are not open to re-negotiating the basic terms or value of that Agreement.

We remain hopeful that we can continue to work towards accomplishing the mutual goals of the Agreement in Principle. In that light, I hope to hear from you soon about whether you think it productive to meet again on June 9.

Sincerely,


Merle Jefferson, Executive Director
Lummi Natural Resources Department